

ZONING AND ADJUSTMENT BOARD

July 6, 2009

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, July 6, 2009, at 6:30 pm with the following members present: Larry Story-Chairman, Ron Berry, Nathan Yoder, Frank Topping-Vice-Chairman, Frank Szczepanski, Dossie Singleton, Richard Cole, Jessica Garner, Brad Shepherd, Woody Hill and Bob Hunt.

Members Bailey Cassels and Marge Thies were absent.

Brad Cornelius, Planning Manager, and Sandy Cassels, Recording Secretary, were present. Derrill McAteer, Zoning and Adjustment Board Attorney, was also present.

Chairman Larry Story called the meeting to order.

Mr. Shepherd led the pledge of allegiance, and Mr. Hunt led the prayer.

Mr. Story presented the proof of publication.

Mr. Cole made a motion to approve the minutes from the June 15, 2009, meeting. Mr. Berry seconded the motion, and the motion carried.

Mr. Story stated "If you plan to speak during any of the public hearing, please rise and be sworn". Those wishing to speak were sworn in by Sandy Cassels, ZAB secretary. Mr. Story stated, "Finally, please state your name, address, and whether or not you have been sworn when you approach the podium to speak."

R2009-0015

Thomas & Margaret Sheppard – Rezone 2 acres MOL from RR5 to RR1 to complete a lineal transfer.

Thomas Sheppard, applicant, was present and requested to rezone 2 acres MOL of an 8.3 acre parcel to complete a lineal transfer. There were seven notices sent. Of the seven notices sent, three were returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Cole asked Mr. Sheppard who the recipient of the lineal transfer is. Mr. Sheppard stated his parents will be receiving the property.

Mr. Topping made a motion to recommend approval of the rezoning to the Board of County Commissioners. Mr. Cole seconded the motion, and the motion carried.

T2009-0018

Martha Gray – Temporary Use Permit for three years for a RV as a caregiver's residence.

Kim Gray, representative for the applicant, was present and requested a Temporary Use Permit (TUP) for three years to allow a RV as a caregiver's residence. There were seven notices sent. Of the seven notices sent, three were returned in objection and none were returned in favor. Mr. Cornelius read the letters of objection into the record. There were no objections from the audience.

Mr. Cornelius explained there is a Code Enforcement case on this parcel and that is how the TUP came about. Mr. Cornelius stated he did a site inspection of the property on July 6, 2009, and observed only one RV on the property, he also stated he spoke to the Code Enforcement Inspector, who stated there has been up to two RVs on the property when he has done his site inspections.

Mr. Cornelius asked Mrs. Gray where the wastewater from the holding tanks is being dumped. Mrs. Gray stated Mr. Gray has placed a plastic tank in the ground for the wastewater, and they utilize the bathroom in the residence on the property, they do not utilize the bathroom in the RV. Mr. Cornelius explained to Mrs. Gray it is illegal to place a plastic tank in the ground for wastewater, and the Sumter County Environmental Health would need to be contacted to verify the wastewater is being properly disposed of.

Mr. Topping asked Mrs. Gray who is receiving care, in which; she stated her mother-in-law, Martha, and her brother-in-law are. Mr. Topping asked Mrs. Gray why a TUP is required when there appears to be multiple people living in the permanent residence. Mrs. Gray stated she is the caregiver for both people living in the permanent residence and would like to have a place away from them.

The ZAB discussed the issue of RV holding tanks not being properly hooked into a septic system.

Mr. Topping made a motion to table this request until the August 3, 2009, ZAB hearing to allow staff and the applicant sufficient time to correct the septic system issues. Mr. Cole seconded the motion, and the motion carried.

T2009-0019

Margaret Doyle – Renew a Temporary Use Permit for three years for a mobile home as a caregiver's residence

Ruby Perry, representative for the applicant, was present and requested a renewal of a Temporary Use Permit for three years for a mobile home as a caregiver's residence. There were nine notices sent. Of the nine notices sent, four were returned in favor and none were returned in objection. There were no objections from the audience.

Mrs. Perry stated Ms. Doyle passed away at the beginning of June, but she would like to see if she would be allowed to utilize this as a care receiver's TUP to assist her in caring for her husband who had a stroke.

Mr. McAteer stated he would need to see if the estate would require probate.

Mr. Topping made a motion to table this application until August 3, 2009, to allow the applicant sufficient time to amend their application to a care receiver's residence, and give staff sufficient time to assess the legal issues dealing with the estate and property ownership. Mr. Cole seconded the motion, and the motion carried.

T2009-0020

Matthew & Deborah Parsons – Temporary Use Permit for three years for a mobile home as a care receiver's residence

Matthew Parsons, applicant, was present and requesting a Temporary Use Permit for three years for a mobile home as a care receiver's residence. There were eight notices sent. Of the eight notices sent, one was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Topping asked Mr. Parsons the relationship between himself and the person requiring care. Mr. Parsons stated the people requiring care are his parents. Mr. Topping asked Mr. Parsons what type of residence the care receiver will be residing in, in which, Mr. Parsons stated the second dwelling unit would be a singlewide mobile home.

Mr. Topping made a motion to approve the Temporary Use Permit for three years for a mobile home as a care receiver's residence. Mr. Cole seconded the motion, and the motion carried.

Board Discussion

The ZAB discussed Temporary Use Permits and how the dwelling units allowed as a second residence shall properly dispose of their wastewater. The ZAB drafted Mr. Cornelius to contact Environmental Health regarding this issue and to report back at the next meeting.

Mr. Szczepanski made a motion to adjourn at 7:25 p.m. Mr. Cole seconded the motion, and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board